

**IN THE CIRCUIT COURT FOR THE TWENTY-FIRST JUDICIAL CIRCUIT  
KANKAKEE COUNTY, ILLINOIS**

JOHN KRAFT,  
EDGAR COUNTY WATCHDOGS, INC.

PLAINTIFFS,

v.

CITY OF KANKAKEE

DEFENDANT.

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Case No. 2019CH146

**COMPLAINT**

**NOW COME** the Plaintiffs, JOHN KRAFT, and the EDGAR COUNTY WATCHDOGS, INC., by their attorneys, AMBROZIAK & ASSOCIATES, and bring this suit to Overturn Defendant's refusal, and willful violation of the Illinois Freedom of Information Act, to properly respond to Plaintiffs' Freedom of Information Act request. In support of this Complaint, Plaintiffs state as follows:

**INTRODUCTION**

1. Pursuant to fundamental philosophy of the American constitutional form of government, it is the public policy of the State of Illinois that all persons are entitled to full and complete information regarding the affairs of government and the official acts and policies of those who represent them as public officials and public employees consistent with the terms of the Illinois Freedom of Information Act (hereafter "FOIA"). 5 ILCS 140/1.

2. Restraints on access to information to the extent permitted by FOIA are limited exceptions to the principle that the people of this state have a right to full disclosure of information relating to the decisions, policies, procedures, rules, standards and other aspects of governmental activity that affect the conduct of government and the lives of the people. 5 ILCS 140/1.

3. All public records of a public body are presumed to be open to inspection or copying. Any public body that asserts that a record is exempt from disclosure has the burden of proving by clear and convincing evidence that it is exempt. 5 ILCS 140/1.2.

4. Each public body shall, promptly, either comply with or deny a request for public records within 5 business days after its receipt of the request, unless the time for response is properly extended under subsection (e) of this Section. *Denial shall be in writing as provided in Section 9 of this Act. Failure to comply with a written request, extend the time for response, or deny a request within 5 business days after its receipt shall be considered a denial of the request.* 5 ILCS 140/3(d). Emphasis added.

5. *Each public body denying a request for public records shall notify the requester in writing of the decision to deny the request, the reasons for the denial, including a detailed factual basis for the application of any exemption claimed, and the names and titles or positions of each person responsible for the denial. Each notice of denial by a public body shall also inform such person of the right to review by the Public Access Counselor and provide the address and phone number for the Public Access Counselor. Each notice of denial shall inform such person of his right to judicial review under Section 11 of this Act.* 5 ILCS 140/9(a). Emphasis added.

6. "Except as to causes the court considers to be of greater importance, proceedings arising under this Section shall take precedence on the docket over all other causes and be assigned for hearing and trial at the earliest practicable date and expedited in every way" 5 ILCS 140/11.

### **PARTIES**

7. Plaintiffs, JOHN KRAFT and the EDGAR COUNTY WATCHDOGS, INC. (hereafter "ECW"), are the FOIA requesters in this case. Plaintiffs are News Media and Nonprofit as defined in 5 ILCS 140/2.

8. CITY OF KANKAKEE (hereafter “KANKAKEE”) is a public body located in Kankakee County, Illinois.

9. The records sought are non-exempt public records of KANKAKEE.

10. KANKAKEE willfully and intentionally violated the FOIA by Defendant’s ongoing and constant refusal to, and failure to properly respond to the FOIA request shown below and in the attached Exhibits hereto and incorporated herein.

11. The aforementioned paragraphs 1-10 are incorporated in Count I as if fully restated therein.

**COUNT I**  
**FOIA Request - July 11, 2019**

12. On July 11, 2019, Plaintiff Kraft, on behalf of ECW, submitted a request pursuant to the FOIA to Defendant Kankakee by emailing the Kankakee Clerk, and the Kankakee Mayor. See Exhibit A. In their July 11 FOIA request, Plaintiff sought the following documents:

- 1) A copy of all sales tax sharing agreements/settlements approved at a city council within the past 30 days; and
- 2) A copy of the response sent to the Daily-Journal who requested substantially the same information. See Exhibit A.

13. On July 22, 2019, six (6) business days after Kankakee’s receipt of the FOIA request, Plaintiff emailed the Kankakee Clerk and Kankakee Mayor, informing the Mayor that the requested records are late and again asking for said records. See Exhibit B1. By statute, Defendant’s response must be either denied, extended, or otherwise responded to within 5 business days after receipt of the request, or July 19, 2019. 5 ILCS 140/3(d).

14. On July 24, 2019, eight (8) business days after Kankakee’s receipt of the FOIA request, Plaintiff emailed the Kankakee Clerk and Kankakee Mayor, stating “Third request, and second reminder that this FOIA request is late and your inactions are in violation of state law.” See Exhibit

B1. Four minutes later, Plaintiff emailed Kankakee and asked them to disregard his previous email due to Defendant having responded while Plaintiff was drafting his email. See Exhibit B2.

15. On July 24, 2019, eight (8) business days after Kankakee's receipt of the FOIA request, Kankakee responded to Plaintiff by denying item #1 of the request by claiming Kankakee "is not in possession of agreements that have been entered into by the City and any other party." See Exhibit C1 and C2.

16. At no time did Plaintiff request copies of agreements "entered into by the City and any other party." Rather, Plaintiff's request was for agreements/settlements "approved at a city council in the past 30 days." See Exhibit A.

17. By not responding to Plaintiff's request in the five-day timeframe imposed by 5 ILCS 140/3(d), Defendant DENIED Plaintiff's July 11, 2019 FOIA request under 5 ILCS 140/3(d). Accordingly, Defendant violated the FOIA by not responding pursuant to statutorily mandated timelines.

18. Furthermore, Defendant Kankakee's July 1, 2019, Meeting Agenda listed, as action item numbers 15 (A) (1), (2), (3), (4), and (5), which are the agreements approved at a city council as Plaintiff requested. See Exhibit D, page 24. The council Motioned, Seconded, and voted on each of these items, and in each vote the Motion passed.

19. The Meeting video of July 1, 2019, is available on Kankakee's website at <https://citykankakee-il.gov/chambervideo.php> and by selecting "Council Meeting 7-1-2019 resume from Ex Session." These five settlements, which are the subject of the FOIA request, are the first items in the video which were voted on, and approved, by the city council.

20. It is unfathomable that Kankakee would vote to approve five separate settlement agreements and never retain a copy of those settlements which were voted on. Accordingly, Defendant improperly DENIED item number 1 of Plaintiffs' July 11, 2019 FOIA request.

**WHEREFORE**, JOHN KRAFT and EDGAR COUNTY WATCHDOGS, INC. pray that this Honorable Court grant the following relief:

- A. In accordance with 5 ILCS 140/11(h) of the Freedom of Information Act, afford this case precedence on the Court's docket except as to causes the Court considers to be of greater importance, assign this case for hearing and trial at the earliest practicable date, and expedite this case in every way; and
- B. Declare that the KANKAKEE has violated the FOIA; and
- C. Order KANKAKEE to produce the requested records; and
- D. Enjoin KANKAKEE from withholding non-exempt public records under FOIA; and
- E. Order the KANKAKEE to pay civil penalties; and
- F. Award Plaintiffs reasonable attorneys' fees and costs; and
- G. Award such other relief the Court considers just and equitable.

RESPECTFULLY SUBMITTED

/S/ Denise M. Ambroziak

Denise M. Ambroziak

Denise M. Ambroziak  
ARDC #6244325  
AMBROZIAK & ASSOCIATES  
Attorney for Plaintiffs  
550 West Woodstock St. Ste 107.  
Crystal Lake, IL 60014  
(815) 459-4949  
ambroziaklaw@comcast.net

# EXHIBIT A

**From:** [John Kraft](#)  
**To:** [K A Schmitz](#); [mayor@citykankakee-il.gov](mailto:mayor@citykankakee-il.gov)  
**Bcc:** [Kirk Allen](#)  
**Subject:** FOIA request (City of Kankakee) 7-11-2019  
**Date:** Thursday, July 11, 2019 9:19:00 PM

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On behalf of the Edgar County Watchdogs, Inc. and in accordance with the Freedom of Information Act I am ordering the following public records.

If you are not the FOIA officer, you are required to immediately forward this records order to the appropriate FOIA officer as required by statute [5 ILCS 140/3(c)].

You are required to provide these records according to the timeline set forth in the freedom of information act.

I am ordering the following public records under the Freedom of Information Act:

1. **Copy of all sales tax sharing agreements/settlements approved at a city council within the past 30 days.**
2. **Copy of the response sent to the Daily-Journal who requested substantially the same information.**

-

**Electronic copies are requested.**

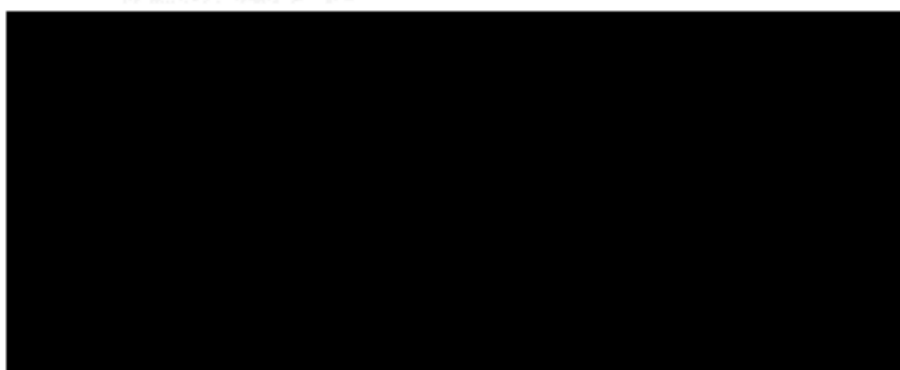
**This is not a commercial request.**

*I, and the organizations I represent (Disclosure News Magazine, Edgar County Watchdogs Inc, and American Watchdogs Inc), qualify as both media and non-profit under the definitions in Section 2 (c-10) ("Commercial purpose"), and the principal purpose of the request is to access and disseminate information concerning news and current or passing events, or for articles of opinion or features of interest to the public.; Section 2 (f) ("News media") as an Investigative Reporter for Disclosure News Magazine, an online and printed newspaper, and an Investigative Reporter for the Edgar County Watchdogs, an online news site, and am engaged in making news reels and other motion picture for public viewing, and as a news service to provide news and data to news organization(s) and nonprofits; Section 2 (g) ("Recurrent requester"); and Section 2 (h) ("Voluminous request") of the Freedom of Information Act, for the purposes of being exempt to the provisions of Section 3.1 (Requests for commercial purposes); Section 3.2 (Recurrent requesters); Section 3.6 (Voluminous requests), and Section 6 (Authority to charge fees).*

*This is also a request for fee waiver, should any fees be imposed, as this information bears on the public business of this public body and will be used to inform citizens of the actions of their public officials and employees, of their rights and responsibilities, of news and current or passing events, and for articles of opinion or features of interest to the public. The principal purpose of this request is to access and disseminate information regarding the health, safety, and welfare or the legal rights of the general public and is not for the principal purpose of gaining a personal or commercial benefit.*

Thanks,

John Kraft



†

# EXHIBIT B1

**From:** [John Kraft](#)  
**To:** [kaschmitz@citykankakee-il.gov.readnotify.com](mailto:kaschmitz@citykankakee-il.gov.readnotify.com); [mayor@citykankakee-il.gov.readnotify.com](mailto:mayor@citykankakee-il.gov.readnotify.com)  
**Subject:** RE: FOIA request (City of Kankakee) 7-11-2019  
**Date:** Wednesday, July 24, 2019 8:54:00 AM

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Third request, and second reminder that this FOIA request is late and your inactions are in violation of state law.

Thanks,  
John Kraft

[REDACTED]

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**From:** John Kraft  
**Sent:** Monday, July 22, 2019 6:23 PM  
**To:** K A Schmitz <[kaschmitz@citykankakee-il.gov](mailto:kaschmitz@citykankakee-il.gov)>; [mayor@citykankakee-il.gov](mailto:mayor@citykankakee-il.gov)  
**Subject:** RE: FOIA request (City of Kankakee) 7-11-2019

Mayor,

This is late.  
Please provide the requested records or face a lawsuit.

Thanks,  
John Kraft  
Edgar County Watchdogs, Inc.

[REDACTED]

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**From:** John Kraft  
**Sent:** Thursday, July 11, 2019 9:20 PM  
**To:** K A Schmitz <[kaschmitz@citykankakee-il.gov](mailto:kaschmitz@citykankakee-il.gov)>; [mayor@citykankakee-il.gov](mailto:mayor@citykankakee-il.gov)  
**Subject:** FOIA request (City of Kankakee) 7-11-2019

On behalf of the Edgar County Watchdogs, Inc. and in accordance with the Freedom of Information Act I am ordering the following public records.

If you are not the FOIA officer, you are required to immediately forward this records order to the appropriate FOIA officer as required by statute [5 ILCS 140/3(c)].

You are required to provide these records according to the timeline set forth in the freedom of information act.

I am ordering the following public records under the Freedom of Information Act:

1. **Copy of all sales tax sharing agreements/settlements approved at a city council within the past 30 days.**
2. **Copy of the response sent to the Daily-Journal who requested substantially the same information.**

-

**Electronic copies are requested.**

**This is not a commercial request.**

*I, and the organizations I represent (Disclosure News Magazine, Edgar County Watchdogs Inc, and American Watchdogs Inc), qualify as both media and non-profit under the definitions in Section 2 (c-10) ("Commercial purpose"), and the principal purpose of the request is to access and disseminate information concerning news and current or passing events, or for articles of opinion or features of interest to the public.; Section 2 (f) ("News media") as an Investigative Reporter for Disclosure News Magazine, an online and printed newspaper, and an Investigative Reporter for the Edgar County Watchdogs, an online news site, and am engaged in making news reels and other motion picture for public viewing, and as a news service to provide news and data to news organization(s) and nonprofits; Section 2 (g) ("Recurrent requester"); and Section 2 (h) ("Voluminous request") of the Freedom of Information Act, for the purposes of being exempt to the provisions of Section 3.1 (Requests for commercial purposes); Section 3.2 (Recurrent requesters); Section 3.6 (Voluminous requests), and Section 6 (Authority to charge fees).*

*This is also a request for fee waiver, should any fees be imposed, as this information bears on the public business of this public body and will be used to inform citizens of the actions of their public officials and employees, of their rights and responsibilities, of news and current or passing events, and for articles of opinion or features of interest to the public. The principal purpose of this request is to access and disseminate information regarding the health, safety, and welfare or the legal rights of the general public and is not for the principal purpose of gaining a personal or commercial benefit.*

Thanks,

John Kraft



# EXHIBIT B2

**From:** [John Kraft](#)  
**To:** [Kristine A Schmitz](#)  
**Subject:** RE: FOIA 19-308  
**Date:** Wednesday, July 24, 2019 8:58:00 AM

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Disregard my last email.  
Additionally, you did not provide the response promised to Giuliani for July 17th.  
Please send that response also.  
Thanks,  
John Kraft

-----Original Message-----

From: Kristine A Schmitz <[kaschmitz@citykankakee-il.gov](mailto:kaschmitz@citykankakee-il.gov)>  
Sent: Wednesday, July 24, 2019 8:51 AM  
To: John Kraft [REDACTED]  
Subject: FOIA 19-308

SEE ATTACHED

Kristine Schmitz  
City of Kankakee  
304 S. Indiana Ave.  
Kankakee, IL 60901  
815-936-3559

Visit us at [citykankakee-il.gov](http://citykankakee-il.gov).

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender - by phone if possible - and destroy all copies of the original message.

Usage Notice: Any non-business usage - jokes, spam or other inappropriate material - will potentially put the sender and/or recipient on the blocked list prohibiting future use of the system to said sender and/or recipient.

# EXHIBIT C1

**From:** [Kristine A Schmitz](#)  
**To:** [John Kraft](#)  
**Subject:** FOIA 19-308  
**Date:** Wednesday, July 24, 2019 8:51:48 AM  
**Attachments:** [19-308\\_Response\\_John\\_Kraft.pdf](#)  
[FOIA 19-308 COPY OF GIULIANI.pdf](#)

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SEE ATTACHED

Kristine Schmitz  
City of Kankakee  
304 S. Indiana Ave.  
Kankakee, IL 60901  
815-936-3559

Visit us at [citykankakee-il.gov](http://citykankakee-il.gov).

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender - by phone if possible - and destroy all copies of the original message.

Usage Notice: Any non-business usage - jokes, spam or other inappropriate material - will potentially put the sender and/or recipient on the blocked list prohibiting future use of the system to said sender and/or recipient.

# EXHIBIT C2



**Administration Building**  
**FOIA OFFICIAL**  
**304 South Indiana Avenue**  
**Kankakee, IL 60901**  
**815-936-3559**

July, 24, 2019

VIA ELECTRONIC MAIL

[john](#)

RE: City of Kankakee *FOIA Request Number 19-308*

Dear Mr. Kraft,

On July 11, 2019, the City of Kankakee ("City") received your FOIA request which requested the following:

- "1. Copy of all sales tax sharing agreements/settlements approved at a city council within the past 30 days.
2. Copy of the response sent to the Daily-Journal who requested substantially the same information.

Your request is partially granted and denied as follows:

1. Request Number 1 is denied. The City is not in possession of any settlement agreements that have been entered into by the City and any other party. FOIA provides that "[A]ll records in the custody or possession of a public body are presumed to be open to inspection or copying." 5 ILCS 140/1.2. FOIA also provides that the City has an obligation to provide settlement agreements *entered into by the public body*. 5 ILCS 140/2.20. (emphasis added). The City has not entered into, nor is it in possession of, settlement agreements because all parties have not signed and executed such agreements.

2. Request Number 2, is granted. Attached, please find a copy of the Response sent to the Daily-Journal on today's date.

You have a right to have the denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor  
Office of the Attorney General  
500 South 2nd Street Springfield, Illinois 62706  
Fax: 217-782-1396  
E-mail: [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us)

You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

If you have further questions, please contact me at 815-936-3618 or via email at [kaschmitz@citykankakee-il.gov](mailto:kaschmitz@citykankakee-il.gov)

Sincerely,



Kristine Schmitz  
FOIA OFFICER  
City of Kankakee

Enclosures

# EXHIBIT D



Donald E. Green Public Safety Center  
City Council Chambers  
385 East Oak Street  
Kankakee, Illinois 60901

**CITY COUNCIL AGENDA  
MONDAY, JULY 1, 2019  
7:00 P.M.**

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- 1. CALL TO ORDER**
- 2. PRAYER - MRS. VURNICE MALONEY FROM GARDEN OF PRAYER YOUTH CENTER**
- 3. PLEDGE OF ALLEGIANCE - YOUTH FROM GARDEN OF PRAYER YOUTH CENTER**
- 4. PUBLIC COMMENTS – *Please give your name and direct your comments to the Mayor. Comments are limited to five minutes.***
- 5. ROLL CALL**
  - A) CITY COUNCIL**
  - B) DEPARTMENT HEADS**
- 6. MINUTES – MONDAY, JUNE 17, 2019**
- 7. PETITIONS**
- 8. COMMUNICATIONS**
  - A) KANKAKEE AREA YMCA IS REQUESTING A NOISE PERMIT FOR “KANKAKEE AREA YMCA COMMUNITY COOKOUT” ON WEDNESDAY, JULY 3, 2019, FROM 5:00 P.M. UNTIL 7:00 P.M.**
  - B) FAMILY DOLLAR IS REQUESTING STREET CLOSURE OF THE ALLEY NEXT TO FAMILY DOLLAR ON COURT STREET BETWEEN COURT STREET AND OAK STREET TO HOST A “FOURTH OF JULY BASH” ON THURSDAY, JULY 4, 2019, FROM 5:00 P.M. UNTIL 9:00 P.M.**
  - C) REVISED REQUEST: PLEASANT GROVE MISSIONARY BAPTIST CHURCH IS REQUESTING PERMISSION TO HOST THEIR “VACATION BIBLE SCHOOL PARADE 2019” ON SATURDAY, JULY 6, 2019, FROM 2:30 P.M. UNTIL 3:15 P.M.**

- D) **REVISED REQUEST: PLEASANT GROVE MISSIONARY BAPTIST CHURCH IS REQUESTING STREET CLOSURE OF THE WEST SIDE OF FAIRMONT AVENUE AND SPRUCE STREET TO THE EAST SIDE OF ILLINOIS AVENUE AND SPRUCE STREET TO HOST AN "OUTSIDE SERVICE" ON SUNDAY, JULY 14, 2019, FROM 1:00 P.M. UNTIL 2:15 P.M.**
  - E) **ZION GATE MISSIONARY BAPTIST CHURCH IS REQUESTING STREET CLOSURE OF OAK STREET BETWEEN GREENWOOD AVENUE AND WILDWOOD AVENUE, ROSEWOOD AVENUE BETWEEN COURT STREET AND CHESTNUT STREET TO HOST THEIR "ANNUAL CHURCH PICNIC" ON SATURDAY, AUGUST 17, 2019, FROM 9:30 A.M. UNTIL 4:30 P.M.**
  - F) **KANKAKEE SCHOOL DISTRICT 111 IS REQUESTING STREET CLOSURE OF MERCHANT STREET WEST OF SCHUYLER AVENUE, MINER SQUARE CIRCLE, AND THE NORTH CLOCKTOWER LOT TO HOST THE "ANNUAL BACK TO SCHOOL BASH" ON TUESDAY, AUGUST 13, 2019, FROM 1:30 P.M. UNTIL 8:30 P.M.**
- 9. STANDING COMMITTEES**
- A) **BUDGET COMMITTEE – MONDAY, JUNE 10, 2019**
  - B) **BUDGET COMMITTEE – TUESDAY, JUNE 18, 2019**
  - C) **COMMUNITY DEVELOPMENT COMMITTEE- MONDAY, MAY 6, 2019**
- 10. REPORTS OF OFFICERS**
- A) **APPROVAL OF BILLS - \$556,814.62**
- 11. UNFINISHED BUSINESS**
- A)
- 12. NEW BUSINESS**
- A) **ORDINANCE DECLARING CERTAIN PROPERTY SURPLUS OF THE CITY OF KANKAKEE – POLICE DEPARTMENT – AND AUTHORIZING THE SALE THEREOF**
  - B) **ORDINANCE ADOPTING THE PREVAILING WAGE RATE – 2019**
  - C) **ORDINANCE ADOPTING TAX INCREMENT FINANCING FOR THE CITY OF KANKAKEE RIVERFRONT TAX INCREMENT FINANCING DISTRICT**
  - D) **ORDINANCE DESIGNATING THE CITY OF KANKAKEE RIVERFRONT TAX INCREMENT FINANCING DISTRICT REDEVELOPMENT PROJECT AREA**

- E) **ORDINANCE APPROVING THE CITY OF KANKAKEE RIVERFRONT TAX INCREMENT FINANCING DISTRICT REDEVELOPMENT PROJECT PLAN AND PROJECT**
- F) **RECOMMENDATION TO ACCEPT THE ENGINEERING PROPOSAL FROM PIGGUSH ENGINEERING, INC. OF \$6,860.00 FOR LAND SURVEYING SERVICES FOR RIVERSTONE DRAINAGE DITCH – RIVERSTONE PARKWAY**
- G) **RECOMMENDATION TO AWARD THE BID IN THE AMOUNT OF \$482,951.81 TO KANKAKEE VALLEY CONSTRUCTION COMPANY, INC. FOR 2019 MFT STREET MAINTENANCE PROGRAM, PEI JOB. NO 19028.0301**
- H) **APPOINTMENTS**

**13. MOTIONS AND RESOLUTIONS**

- A) **PROCLAMATION DECLARING JULY 2019 AS NATIONAL LEAGUE OF CITIES SMALL CITIES MONTH**
- B) **RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING WITH RING, LLC REGARDING A DIGITAL NEIGHBORHOOD WATCH APPLICATION**
- C) **RESOLUTION AUTHORIZING THE EXECUTION OF A SERVICE AGREEMENT WITH OXCART PERMIT SYSTEMS, LLC TO DEVELOP AN INTERNET APPLICATION FOR VEHICLE PERMIT APPLICATIONS**
- D) **RESOLUTION AUTHORIZING THE CHIEF OF POLICE OF THE CITY OF KANKAKEE TO APPLY FOR AND ACCEPT FUNDS FOR 2019 DEPARTMENT OF JUSTICE FUNDING OPPORTUNITY BJA-2019-15364**
- E) **RESOLUTION APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE STATE OF ILLINOIS AND THE CITY OF KANKAKEE APPROPRIATING FUNDS FOR THE HOBBIE AVENUE IMPROVEMENT PROJECT – MFT SECTION NUMBER 15-00278-00-FP**
- F) **RESOLUTION APPROVING 2019 MOTOR FUEL TAX STREET MAINTENANCE PROGRAM, SECTION 19-00000-00-GM, GROUP IV, PEI JOB NO. 19028.0301 IN THE AMOUNT OF \$142,000.00**

**14. EXECUTIVE SESSION**

- A) **PERSONNEL: THE APPOINTMENT, EMPLOYMENT, COMPENSATION, DISCIPLINE, PERFORMANCE, OR DISMISSAL OF SPECIFIC EMPLOYEES OF THE PUBLIC BODY OR LEGAL COUNSEL FOR THE PUBLIC BODY**

- B) APPOINTMENTS**
- C) PERSONNEL**
- D) PENDING OR IMMINENT LITIGATION**

**A) RE: CITY OF CHICAGO V. CITY OF KANKAKEE ET AL.  
MATTER NO. 00322-00001**

- 1. SETTLEMENT AGREEMENT AND RELEASE WITH  
RTA RE DIRECT EDAS**
- 2. AGREEMENT BETWEEN CITY OF KANKAKEE AND  
HENRY SCHEIN, INC. REGARDING THE RTA  
SETTLEMENT AND RELEASE OF FUNDS**
- 3. AGREEMENT BETWEEN THE CITY OF KANKAKEE,  
INSPIRED DEVELOPMENT, LLC AND RYAN LLC  
REGARDING THE RELEASE OF FUNDS UPON FINAL  
RESOLUTION OF LITIGATION**
- 4. SETTLEMENT AGREEMENT AND RELEASE  
BETWEEN RTA, COOK COUNTY, THE CITY OF  
KANKAKEE AND MTS**
- 5. AGREEMENT BETWEEN THE CITY OF KANKAKEE  
AND MTS REGARDING THE RTA SETTLEMENT AND  
RELEASE OF FUNDS**

- E) UNION CONTRACTS**
- F) REVIEW OF EXECUTIVE SESSION MINUTES – (TO BE REVIEWED  
EVERY SIX MONTHS)**
- G) MOTION TO RETURN TO OPEN SESSION**

**15. ACTION RESULTING FROM THE EXECUTIVE SESSION**

**A) RE: CITY OF CHICAGO V. CITY OF KANKAKEE ET AL.  
MATTER NO. 00322-00001**

- 1. SETTLEMENT AGREEMENT AND RELEASE  
WITH RTA RE DIRECT EDAS**
- 2. AGREEMENT BETWEEN CITY OF KANKAKEE  
AND HENRY SCHEIN, INC. REGARDING THE RTA  
SETTLEMENT AND RELEASE OF FUNDS**
- 3. AGREEMENT BETWEEN THE CITY OF  
KANKAKEE, INSPIRED DEVELOPMENT, LLC  
AND RYAN LLC REGARDING THE RELEASE OF  
FUNDS UPON FINAL RESOLUTION OF  
LITIGATION**
- 4. SETTLEMENT AGREEMENT AND RELEASE  
BETWEEN RTA, COOK COUNTY, THE CITY OF  
KANKAKEE AND MTS**
- 5. AGREEMENT BETWEEN THE CITY OF  
KANKAKEE AND MTS REGARDING THE RTA  
SETTLEMENT AND RELEASE OF FUNDS**

**16. CITY COUNCIL MEMBERS COMMENTS**

**17. DEPARTMENT HEAD COMMENTS/UPDATES**

**18. ADJOURNMENT**